

Timothy E. Burke

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

1300 Mount Kemble Avenue

P.O. Box 2075

Morristown, New Jersey 07960

t. (973) 425-4164

f. (973) 425-0161

*Attorneys for Defendant, ESA Management, LLC (improperly pled as
Extended Stay America, Inc.) and "ESH Hospitality, Inc.")*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JAMES NELSON

22 West Berkley Avenue

Clifton Heights, PA 19018,

Plaintiff,

v.

EXTENDED STAY AMERICA, INC.

200 Bellevue Parkway, Ste. 210

Wilmington, DE 19809,

ESH HOSPITALITY, INC.

11525 N. Community House Rd, Ste. 100

Charlotte, NC 28277,

JOHN DOE HOTEL OWNER

30 Worlds Fair Drive

Somerset, NJ 08873,

JOHN DOE HOTEL FRANCHISEE

30 Worlds Fair Drive

Somerset, NJ 08873,

Defendants.

Civil Action No.: _____

NOTICE OF REMOVAL

To: Clerk
United States District Court
District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street Room 4015
Newark, NJ 07101

On Notice to: Clerk
Superior Court of New Jersey
Law Division – Camden County
Camden County Hall of Justice
101 S. 5th St.
Camden, NJ 08103

Jonathan D. Rosenau, Esq.
Schatz, Steinberg & Klayman
16000 Commerce Parkway, Suite B-1
Mt. Laurel, NJ 08054
Attorneys for Plaintiff

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§1332 and 1441 *et seq.*, defendant ESA Management, LLC (improperly pled as Extended Stay America, Inc.” and “ESH Hospitality, Inc.”) by its undersigned attorneys, hereby removes this action, entitled James Nelson v. Extended Stay America, Inc., Docket Number: CAM-L-648-22, from the Superior Court of New Jersey, Law Division, Camden County, to this Court.

PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. §1446(d), a copy of this Removal Petition is being filed with the Clerk of the Superior Court of New Jersey, Law Division, Camden County, and will be served on plaintiff.

PLEASE TAKE FURTHER NOTICE that by effecting removal of this civil action, defendants reserve all rights to raise any and all defenses available under the Federal Rules of Civil Procedure including, but not limited to, Fed. R. Civ. P. 12.

PLEASE TAKE FURTHER NOTICE that, in support of this Notice of Removal, Defendants rely upon the following:

1. On March 12, 2022 plaintiff filed his Complaint in the Superior Court of New Jersey, Law Division, Camden County. The Summons and Complaint were received by defendant ESH Hospitality, Inc. no sooner than March 12, 2021. Attached as Exhibit A to this Notice of Removal is a copy of the Summons and Complaint, together with a Civil Case Information Sheet,

Track Assignment Notice and Proof of Service.

2. The documents attached as Exhibit A constitute all of the process and pleadings sent to defendants in this action. There are no pending hearings or motions.

3. The Complaint names Extended Stay America, Inc. and ESH Hospitality, Inc., as defendants. See Exhibit A.

4. Extended Stay America, Inc. is a citizen of the state of Wilmington, DE. See Exhibit A.

5. ESH Hospitality, Inc. is a citizen of the state of Delaware. See Exhibit A.

6. The proper party defendant is an entity called ESA Management, LLC, which operated and managed the Extended Stay America hotel where the incident took place. ESA Management, LLC has a principal place of business located at 11525 N. Community House Road, Suite 100, Charlotte, NC 28277.

7. According to the Complaint, Plaintiff is a resident and domiciliary of the Commonwealth of Pennsylvania. See Exhibit A.

8. The citizenship of all parties is diverse, as defined under 28 U.S.C. § 1332(a). Plaintiff is a citizen of the Commonwealth of Pennsylvania, and both the named defendants and the true party defendant, ESA Management, LLC, are citizens of other states.

9. The Complaint alleges that on November 15, 2020 plaintiff James Nelson was a guest registered at the Extended Stay America – Somerset-Franklin, which was operated and managed by defendant ESA Management, LLC when he was “caused to trip, stumble, and fall down” and allegedly was injured. See Exhibit A.

10. The Complaint alleges that, as a result of the fall, plaintiff sustained “severe and multiple injuries, both internal and external, to and about his body, and extremities and/or the

aggravation of pre-existing conditions thereto, if any, with injury to his bones, joints, nerves and nervous system, including, but not limited to: head injuries including traumatic brain injury, back, neck, arm, knees, extremities, internal injuries, severe shock to his entire nervous system, exacerbation of all known and unknown pre-existing medical conditions, if any, and other injuries that will represent a permanent and substantial impairment of Plaintiffs bodily functioning that substantially impairs Plaintiff's ability to perform his daily life activities, and the full extent of which is not yet known.” Exhibit A at ¶ 17.

11. Although the Complaint does not specify the actual amount of damages Plaintiff seeks to recover, upon information and belief, it exceeds \$75,000, exclusive of interest and costs.

12. This civil action is one over which this Court has original jurisdiction, under 28 U.S.C. § 1332(a) and is one that may be removed to this Court by Defendants pursuant to 28 U.S.C. § 1441(a), in that it is a suit constituting a dispute between citizens of different states, and the matter in controversy exceeds the sum of the value of \$75,000, exclusive of interest and costs.

13. Removal jurisdiction, therefore, exists under 28 U.S.C. § 1441.

14. Venue lies in the United States District Court for the District of New Jersey because the state-court action was filed in this District. 28 U.S.C. § 1441(a).

15. This Notice of Removal is being filed within thirty days after receipt by defendants of the initial pleading and summons. See 28 U.S.C. 1446(b)(1).

16. By effecting removal of this action, Defendants do not admit any of the allegations made in the Complaint.

WHEREFORE, Defendants respectfully submit that this case proceed in the United States District Court for the District of New Jersey as an action timely and properly removed.

**McELROY, DEUTSCH, MULVANEY
& CARPENTER, LLP**

*Attorneys for Defendant, ESA Management, LLC
(improperly pled as Extended Stay America, Inc.)
and “ESH Hospitality, Inc.”)*

By: s/ *Timothy E. Burke*
Timothy E. Burke

Dated: April 8, 2022

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Notice of Removal is being filed on this date with the Clerk of the Superior Court of New Jersey, Law Division, Camden County, and served on counsel for Plaintiff via e-court filing.

s/ *Timothy E. Burke*

Timothy E. Burke

Dated: April 8, 2022

EXHIBIT A



STEVEN J. SCHATZ*[^]
sschatz@s2firm.com

S. PHILIP STEINBERG*
psteinberg@s2firm.com

DANA M. KLAYMAN*[^]
dklayman@s2firm.com

SEAN M. FULMER*[^]
sfulmer@s2firm.com

JUSTIN C. CAPEK*[^]
jcapek@s2firm.com

SCOTT A. QUINN*
squinn@s2firm.com

STEPHANIE R. ESRIG*[^]
sesrig@s2firm.com

JONATHAN D. ROSENAU*[^]
jrosenau@s2firm.com

DAVID S. JAFFE*
djafee@s2firm.com

JONATHAN D. LAYNAS*
jlaynas@s2firm.com

* MEMBER OF PA BAR
[^] MEMBER OF NJ BAR

1500 JOHN F. KENNEDY BOULEVARD
TWO PENN CENTER, SUITE 1300
PHILADELPHIA, PA 19102
TEL: (215)845-0250
FAX: (215)845-0255
WEB: s2firm.com

March 11, 2022

*Certified Mail, R.R.R. and
USPS First Class Mail*

ESH HOSPITALITY, INC.
11525 N. Community House Road, Suite 100
Charlotte, NC 28277

**RE: James Nelson v. Extended Stay America, Inc., et al
S.C.N.J., Camden County, Docket #CAM-L-000648-22**

Dear Sir/Madam:

Enclosed herewith, please find a Civil Action Summons, Complaint and Track Assignment which has been filed with Superior Court of New Jersey, Monmouth County, New Jersey against you in the above-referenced matter.

This mailing constitutes proper service in accordance with N.J. Ct. R. 1:5.

You have thirty-five (35) days from your receipt of this pleading within which to file a response with the Court. Failure to do so within the time proscribed by law will result in a Default Judgment being entered against you.

You should forward the enclosed documents to your liability insurance carrier for further handling so that they may protect your interests and retain an attorney to represent you in this matter.

Thank you for your prompt attention to this matter.

Very truly yours,

JONATHAN D. ROSENAU

JDR/lam
Enclosures

SUMMONS

Attorney(s) Jonathan D. Rosenau
 Office Address 16000 Commerce Parkway, Suite B1
 Town, State, Zip Code Mt. Laurel, NJ 08054
 Telephone Number (215) 845-0250
 Attorney(s) for Plaintiff James Nelson

**Superior Court of
New Jersey**

Camden COUNTY
Law DIVISION

Docket No: CAM-L- 000648-22

James Nelson

Plaintiff(s)

Vs.

Extended Stay America, Inc., et al

Defendant(s)

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.




K. Michelle M. Smith
 Clerk of the Superior Court

DATED: 03/11/2022

Name of Defendant to Be Served: ESH Hospitality, Inc.

Address of Defendant to Be Served: 11525 N. Community House Road, Suite 100, Charlotte, NC 28277

Appendix XII-B1

 CIVIL CASE INFORMATION STATEMENT (CIS) Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY			
		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA			
		CHG/CK NO.			
		AMOUNT:			
		OVERPAYMENT:			
		BATCH NUMBER:			
ATTORNEY / PRO SE NAME Jonathan D. Rosenau		TELEPHONE NUMBER (215) 845-0250		COUNTY OF VENUE Camden	
FIRM NAME (if applicable) Schatz & Steinberg, P.C.				DOCKET NUMBER (when available) CAM-L-000648-22	
OFFICE ADDRESS 16000 Commerce Parkway, Suite B-1 Mt. Laurel, NJ 08054				DOCUMENT TYPE Civil Action Complaint	
				JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
NAME OF PARTY (e.g., John Doe, Plaintiff) James Nelson, plaintiff		CAPTION Nelson v. Extended Stay America, Inc., et al			
CASE TYPE NUMBER (See reverse side for listing) 605		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.			
RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, LIST DOCKET NUMBERS			
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN			
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.					
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION					
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS			
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION					
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION			
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, FOR WHAT LANGUAGE?			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .					
ATTORNEY SIGNATURE: 					

CAMDEN COUNTY
SUPERIOR COURT
HALL OF JUSTICE
CAMDEN

NJ 08103

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (856) 650-9100
COURT HOURS 8:30 AM - 4:30 PM

DATE: MARCH 11, 2022
RE: NELSON JAMES VS EXTENDED STAY AMERIC A, INC.
DOCKET: CAM L -000648-22

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON STEVEN J. POLANSKY

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 101
AT: (856) 650-9100 EXT 43126.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: JONATHAN D. ROSENAU
SCHATZ, STEINBERG & KLAYMAN
16000 COMMERCE PKWY
STE B-1
MOUNT LAUREL NJ 08054

ECOURTS

SCHATZ, STEINBERG & KLAYMAN

Jonathan D. Rosenau, Esquire

Attorney I.D. No.024582019

16000 Commerce Parkway, Suite B-1

Mt. Laurel, NJ 08054

(215) 845 – 0250

jrosenau@s2firm.com

Attorney for Plaintiff

JAMES NELSON

22 West Berkley Avenue

Clifton Heights, PA 19018,

Plaintiff

v.

EXTENDED STAY AMERICA, INC.

200 Bellevue Parkway, Suite 210

Wilmington, DE 19809,

ESH HOSPITALITY, INC.

11525 N. Community House Rd, Ste 100

Charlotte, NC 28277,

JOHN DOE HOTEL OWNER

30 Worlds Fair Drive

Somerset, NJ 08873

JOHN DOE HOTEL FRANCHISEE

30 Worlds Fair Drive

Somerset, NJ 08873,

Defendants

**SUPERIOR COURT OF NEW JERSEY
CAMDEN COUNTY**

LAW DIVISION

DOCKET NO.:

CIVIL ACTION COMPLAINT

Plaintiff, James Nelson, residing at the above-captioned address, by way of Complaint against Defendants, Extended Stay America, Inc., ESH Hospitality, Inc., John Doe Hotel Owner, and John Doe Hotel Franchisee, say:

1. Plaintiff, James Nelson, is an adult individual residing at the above-captioned address.

2. Defendant, Extended Stay America, Inc., is a corporation or other business entity which exists, operates and does business under the laws of the State of New Jersey and maintains a principal place of business at the above-captioned address.

3. Defendant, ESH Hospitality, Inc., is a corporation or other business entity which exists, operates and does business under the laws of the State of New Jersey and maintains a principal place of business at the above-captioned address.

4. Defendant, John Doe Hotel Owner, is a fictitious name designating the owner of the hotel owner/operator where Plaintiff fell that is the subject of this Civil Action Complaint.

5. Defendant, John Doe Property Owner, is a fictitious name designating the owner of the premises where Plaintiff fell that is the subject of this Civil Action Complaint.

6. Defendants Extended Stay America, Inc., ESH Hospitality, Inc., John Doe Hotel Owner, and John Doe Hotel Franchisee are hereinafter referred to as "Defendants" unless specifically referred to otherwise individually.

7. Defendants regularly and systemically conduct business within Camden County New Jersey and have other hotels and/or properties located within Camden County, New Jersey.

8. At all times material hereto, Defendants owned, operated, controlled, inspected, and maintained the parcel of real property located at 30 World Fair Drive, Somerset, NJ 08873, including all improvements and man-made structures located thereupon and interior portions thereof (hereinafter "Defendants' Property").

9. Defendants' Property is held out to the public and advertised as an Extended Stay America Hotel.

10. On or about September 25, 2020, Plaintiff was staying at Defendants' Property in a room assigned by Defendants to Plaintiff, when he was caused to trip, stumble, and fall down

when the bathtub/shower floor caved in/collapsed beneath him, causing Plaintiff to sustain serious and permanent injuries more fully set forth herein.

11. At all times relevant hereto, Defendants knew or should have known that the bathtub/shower floor was in a state of disrepair and/or improperly maintained and posed a serious risk of harm to persons such as Plaintiff.

12. Based on information and belied, Defendants built, constructed, and/or maintained the bathtub/shower floor and/or placed ma bathmat over the dangerous and defective condition and therefore had actual and/or constructive notice of the defective condition located on Defendants' Property.

13. At all times material hereto, Defendants acted by and through its agents (actual, apparent or ostensible), servants, workmen, employees and/or officers, all of whom were then and there acting within the course and scope of their duties, agency, employment or authority for Defendants.

14. This accident was caused solely from the negligence and carelessness of Defendants and was in no manner whatsoever due to any act of negligence on the part of Plaintiff.

COUNT I – NEGLIGENCE

**JAMES NELSON v. EXTENDED STAY AMERICA, INC., ESH HOSPITALITY, INC.,
JOHN DOE HOTEL OWNER, AND JOHN DOE HOTEL FRANCHISEE**

15. Plaintiff, James Nelson, hereby incorporates the preceding Paragraphs by reference as if same were set forth at length herein.

16. The aforesaid accident was caused by the negligence and carelessness of Defendants, acting as aforesaid, which negligence and carelessness consisted of the following:

- (a) failing to warn individuals such as the Plaintiff of the hazardous condition that existed on the Defendants' Property;
- (b) failing to properly train employees as to how to properly maintain, inspect and repair dangerous conditions located on Defendants' Property;

- (c) failing to properly construct and maintain the bathrooms designated for customer and/or patron use within Defendants' Property;
- (d) failing to inspect;
- (e) failing to repair;
- (f) concealing the dangerous and defective condition by placing a bathmat over the same instead of repairing the condition known to Defendants;
- (g) failing to have proper procedures and protocols in place for inspection, identification, maintenance, and repair of dangerous and defective conditions;
- (h) violating applicable ordinances and property maintenance codes for the State of New Jersey as well as such other statutes and case law governing the maintenance of property; and
- (i) otherwise acting in a manner that was negligent and careless at law and in fact all of which a reasonable person would have known or in the exercise of reasonable care should have known caused an unreasonable risk of harm to the public and more particularly to Plaintiff herein;
- (j) such other acts of negligence and carelessness as may be adduced through discovery or at trial.

17. As the direct and proximate result of Defendants' negligence, Plaintiff sustained severe and multiple injuries, both internal and external, to and about his body, and extremities and/or the aggravation of pre-existing conditions thereto, if any, with injury to his bones, joints, nerves and nervous system, including, but not limited to: head injuries including traumatic brain injury, back, neck, arm, knees, extremities, internal injuries, severe shock to his entire nervous system, exacerbation of all known and unknown pre-existing medical conditions, if any, and other injuries that will represent a permanent and substantial impairment of Plaintiff's bodily functioning that substantially impairs Plaintiff's ability to perform his daily life activities, and the full extent of which is not yet known.

18. As a further result of the said accident, Plaintiff has suffered severe pain, mental anguish, humiliation, and embarrassment, and he will continue to suffer same for an indefinite period of time in the future

19. As a further result of the said accident, Plaintiff has and will probably in the future, be obliged to receive and undergo medical attention, which was or will be reasonable and necessary

arising from the aforesaid accident and will otherwise incur various expenditures for the injuries he has suffered.

20. As a further result of the said accident, Plaintiff has incurred medical expenses that were reasonable, necessary, and causally related to the aforesaid accident as a result of the injuries he sustained in this accident.

21. As a further result of the said accident, Plaintiff has been unable to attend to his daily chores, duties, and occupations, and he will be unable to do so for an indefinite time in the future, all to his great financial detriment and loss.

22. As a further result of the said accident, Plaintiff has and will suffer severe loss of his earnings and/or impairment of his earning capacity.

WHEREFORE, Plaintiff, James Nelson, demands judgment in his favor and against Defendants, Extended Stay America, Inc., ESH Hospitality, Inc., John Doe Hotel Owner, and John Doe Hotel Franchisee, for damages together with interest and cost of suit.

SCHATZ, STEINBERG & KLAYMAN



JONATHAN D. ROSENAU, ESQUIRE
Attorney for Plaintiff

Dated: March 11, 2022

CERTIFICATION PURSUANT TO R. 4:5-1

Plaintiff, James Nelson, by his attorney, hereby certifies that the matter in controversy is not the subject of any other pending or contemplated judicial or arbitration proceeding. Plaintiff is not currently aware of any other party that should be joined in this action.

SCHATZ, STEINBERG & KLAYMAN




JONATHAN D. ROSENAU, ESQUIRE
Attorney for Plaintiff

Dated: March 11, 2022

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, Plaintiff designates Jonathan D. Rosenau, Esquire as trial counsel in this matter.

SCHATZ, STEINBERG, KLAYMAN, P.C.

By: 

JONATHAN D. ROSENAU, ESQUIRE
Attorney for Plaintiff

Dated: March 11, 2022

NOTICE TO ATTORNEY GENERAL OF ACTION

A copy of the complaint will be mailed to the Attorney General of the State of New Jersey within ten days after the filing with the Court, pursuant to N.J.S.A. § 56:8-20.

SCHATZ, STEINBERG, KLAYMAN, P.C.

By:


JONATHAN D. ROSENAU, ESQUIRE
Attorney for Plaintiff

Dated: March 11, 2022

DEMAND FOR JURY TRIAL

Plaintiff demands a jury trial as to all of the within issues.

SCHATZ, STEINBERG, KLAYMAN, P.C.

By:


JONATHAN D. ROSENAU, ESQUIRE
Attorney for Plaintiff

Dated: March 11, 2022

DEMAND FOR INTERROGATORIES

PLEASE TAKE NOTICE that Plaintiffs hereby demand of the defendants written answers to uniform Interrogatories, Form C and C2, within the time prescribed by the Rules of Court.

SCHATZ, STEINBERG, KLAYMAN, P.C.

By:


JONATHAN D. ROSENAU, ESQUIRE
Attorney for Plaintiff

Dated: March 11, 2022

NOTICE TO PRODUCE

Pursuant to Rule 4:18-1, Plaintiffs hereby demand that the defendants produce the following documentation within thirty (30) days as prescribed by the Rules of Court. Additionally, please be advised that the following requests are ongoing and continuing in nature

and the defendants are therefore required to continuously update its responses thereto as new information or documentation comes into existence.

1. Copies of any and all documentation or reports, including but not limited to, police reports, accident reports and/or incident reports concerning the happening of the incident in question or any subsequent investigation of same.
2. Copies or duplicates of any and all photographs, motion pictures, videotapes, films, drawings, diagrams, sketches or other reproductions, descriptions or accounts, concerning the individuals involved in the incident in question, the accident scene, or anything else relevant to the incident in question.
3. Copies of any and all signed or unsinged statement, documents, communications, and/or transmissions, whether in writing, made orally or otherwise recorded by any mechanical or electronic means, made by any party to this action, any witness or any other individual, businesses, corporation, investigative authority or other entity concerning anything relevant to the incident in question.
4. Copies of any and all documentation concerning any and all contracts between any of the parties involved in the incident.
5. Copies of any and all repair invoices, contracts, receipts, pictures, or other tangible documents possessed or known to Defendants pertaining to the subject matter of this Complaint.
6. Copies of any and all discovery received from any other parties to the action in question.
7. Copies of any and all records of any type subpoenaed by the defendants or received from any other source concerning the plaintiffs or the incident in question.

SCHATZ, STEINBERG, KLAYMAN, P.C.

By: 

JONATHAN D. ROSENAU, ESQUIRE
Attorney for Plaintiff

Dated: March 11, 2022

Civil Case Information Statement

Case Details: CAMDEN | Civil Part Docket# L-000648-22

Case Caption: NELSON JAMES VS EXTENDED STAY

AMERIC A, INC.

Case Initiation Date: 03/11/2022

Attorney Name: JONATHAN DAVID ROSENAU

Firm Name: SCHATZ, STEINBERG & KLAYMAN

Address: 16000 COMMERCE PKWY STE B-1

MOUNT LAUREL NJ 08054

Phone: 6093365600

Name of Party: PLAINTIFF : Nelson, James

Name of Defendant's Primary Insurance Company

(if known): Unknown

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 12 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: James Nelson? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

03/11/2022

Dated

/s/ JONATHAN DAVID ROSENAU

Signed